

BEFORE THE NEBRASKA LIQUOR CONTROL COMMISSION

In Re: HOFF BROTHERS INC)
 "Uncle Neal's Country Convenience")
 123 Pacific Street)
 Lexington NE 68850)

O R D E R

On Suspension, Cancellation or Revocation of)
Class B-60129 Liquor License)

Now on the 11th day of May, 2006, this matter came on for hearing before the Nebraska Liquor Control Commission, notice having been served upon the licensee to appear and respond to an administrative citation alleging that the license should be suspended, cancelled or revoked as more fully set out herein.

The licensee, Neal Hoff, was present and represented by attorney, Michael Kelley. The State was represented by Milissa Johnson-Wiles, Assistant Attorney General.

Based upon the testimony of the witness and the evidence in this case, the Commission finds the following:

FINDINGS OF FACT:

1. That on January 22, 2006, the licensee did sell alcoholic liquor to Jesus Calderon-Magana, a person under the age of twenty-one (21) years of age.

CONCLUSIONS OF LAW:

1. That the said sale of alcoholic liquor to a person under the age of twenty-one (21), is in direct violation of Section 53-180 of the Nebraska Statutes and/or 237-LCC6-019.01A of the Rules and Regulations of the Nebraska Liquor Control Commission.
2. That the license should be suspended for two (2) days of mandatory closure, and suspended for an additional forty-four (44) days, with the option to pay a fine in lieu thereof.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED that the Class B License of Hoff Brothers Inc dba "Uncle Neal's Country Convenience", 123 Pacific Street, Lexington, Nebraska, should be, and the same hereby is, suspended for two (2) days of mandatory closure, and suspended for an additional forty-four (44) days, with the option to pay a fine in lieu thereof, such mandatory closure to be July 3 and 4, 2006; and the additional forty-four (44) days suspension to commence on July 5, 2006, and to continue until the opening hour of business on the 18th day of August, 2006.

IT IS FURTHER ORDERED that the notice of suspension shall be posted upon the premises, said notice to remain posted throughout the term of said suspension.

IT IS FURTHER ORDERED that the licensee shall pay costs of this action, assessed in the amount of \$204.11.

Dated this _____ day of May, 2006

NEBRASKA LIQUOR CONTROL COMMISSION

BY _____
(Chairman)

I hereby certify that this to be a true and correct copy of the original order entered herein, and further certify, that a copy was mailed by U.S. Certified Mail, return receipt requested, on this _____ day of May, 2006.

(Executive Director)